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| TO: | Examiner Rao | FROM: | SHELLY GUEST CERMAK |
| FAX: | 703.872.9306 | REF. NO: | US-125OD1 |
| VOICE: | 703.306.5681 | PAGES | 11 (incl. this sheet) |
| App. No.: | 09/847,392 | DATE: | October 25, 2004 |

The undersigned hereby certifies that the following document(s) is (are) being transmitted by telefacsimile to the United States Patent and Trademark Office at the above "FAX" number, on the above DATE:

- 1) This facsimile cover sheet (1 page)
- 2) Amendment Transmittal Letter (2 pages)
- 3) Amendment and Response under 37 CFR 1.111 (5 pages)
- 4) Copy of original transmittal letter for filing of application (2 pages)
- 5) Petition for Extension of Time (1 page)

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Shelly Guest Cermak
Registration Number 39,571

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October 25, 2004

Mail Stop Non-Fee Amendment
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA. 22313-1450

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In re application of: Livshits
 Application. No.: 09/847,392
 Filing Date: May 3, 2001
 Atty. Docket No. US-125OD1
 Title: DNA CODING FOR PROTEIN WHICH CONFERS ON
 BACTERIUM ESCHERICHIA COLI RESISTANCE TO L-HOMOSERINE,
 AND METHOD FOR PRODUCING L-AMINO ACIDS

Sir:

Transmitted herewith is an Amendment in the above-identified application. Please find enclosed:

- ☒ Amendment and Request for Reconsideration: 5 pages.
☒ Petition for Extension of time from the Office Action, mailed April 29, 2004, 3 months to
 October 29, 2004: 1 pages
☐ Information Disclosure Statement: pages.
☐ PTO-1449: pages.
☐ cited references.
☐ PTO-2038 Credit Card Payment Form (fee calculated as shown below): pages.
☒ Other: Copy of original transmittal letter for filing of application.
☐ A fee is required, as calculated below:

| | (Col. 1) | | (Col. 2) | (Col. 3) |
|--|---|-------|--|--------------|
| | <i>Claims Remaining After Amendment</i> | | <i>Highest No. Previously Paid For</i> | <i>Extra</i> |
| Total | 5 | minus | 20 | 0 |
| Indep. | 1 | minus | 3 | 0 |
| <input type="checkbox"/> First Presentation of Multiple Dependent Claims | | | | |

SMALL ENTITY

| Rate | Fee |
|--------------|-----|
| x \$9 = | \$ |
| x \$43 = | \$ |
| + | \$ |
| \$145= | \$ |
| Total | \$ |

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| Rate | Fee |
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| x \$18 = | \$ |
| x \$86 = | \$ |
| +\$290 | \$ |
| = | \$ |
| Total | \$ |

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

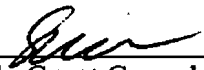
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

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☒ Any filing fees under 37 C.F.R. § 1.16 for the presentation of extra claims.
☒ Any patent application processing fees under 37 C.F.R. § 1.17.

Respectfully submitted,


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Date: October 25, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Livshits

Art Unit: 1652

Serial No. 09/847,392

Examiner: Rao

Filed: May 3, 2001

Atty. Docket: US-125OD1

For: DNA CODING FOR PROTEIN WHICH CONFERS ON BACTERIUM
ESCHERICHIA COLI RESISTANCE TO L-HOMOSERINE, AND METHOD FOR
PRODUCING L-AMINO ACIDS

AMENDMENT AND RESPONSE UNDER 37 C.F.R. § 1.111

Mail Stop Non-fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Sir:

In response to the Office Action dated April 29, 2004, which set a 3-month shortened statutory period for response thereto, please amend the above-captioned patent application as follows. A 3-month petition for extension of time is submitted herewith.

Amendments to the specification begin on page 2.

Amendments to the claims begin on page 3.

Remarks begin on page 4.